

MEMO ENDORSED

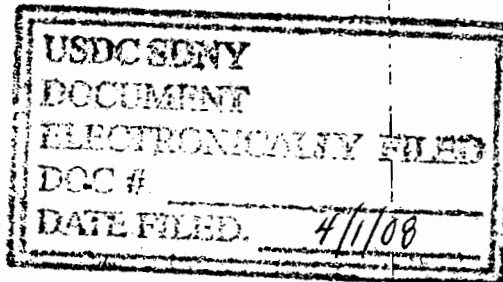
Duane Morris

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March 28, 2008



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The Honorable Kevin N. Fox, U.S.M.J.
United States District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 540
New York, NY 10007

Re: Power Optech LLC v. Andron Construction
No. 07-cv-8117 (HP) (KNF)

Dear Judge Fox:

We are in receipt of Your Honor's Order of March 28, 2008 extending the discovery end-date in the above-referenced matter from March 31, 2008 to April 21, 2008 and write with the consent of counsel for defendant Andron Construction to provide the Court with further information regarding the unforeseen difficulties experienced by the parties in conducting discovery. Based on these difficulties, the parties respectfully renew their request that Your Honor extend discovery to May 12, 2008.

Plaintiff Power Optech LLC is in the process of moving its offices. At the time of the status conference on February 11, 2008, we were not aware of Power Optech's move or that the process of moving would hinder plaintiff's ability to respond to Andron's document requests. After the status conference, it became clear that plaintiff's relocation preparations would interfere with Andron's ability to inspect the requested documents in a practical manner. Further, plaintiff's IT system was in various stages of disassembly, making it difficult, if not impossible, for plaintiff to reproduce a number of computer generated documents requested.

Power Optech anticipates that its move will be completed on or about April 9, 2008. From that date, it will take some time for plaintiff to unpack all of its files. Once that is finished, plaintiff will be able to provide Andron with access to the requested documents and defendant's counsel has stated his intention to provide Power Optech the same access to Andron's documents. After said review, the parties anticipate the need for a handful of depositions, which counsel have agreed can be scheduled expeditiously. Regardless of how earnest and efficient counsel are, however, it is unlikely that this discovery can be completed by April 21. As such,

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counsel again respectfully request that, in light of the above circumstances, Your Honor reconsider the March 28, 2008 Order and extend discovery to May 12, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William J. Votta".

William J. Votta

cc: Harold J. Gabriel, Esq. (via facsimile - (914) 232-4185)

3/31/08

Based on the above,
the time for the parties to
complete their pretrial discovery
activities is enlarged to May 12, 2008.

SO ORDERED:

Kevin Nathaniel Fox

Hon. Kevin Nathaniel Fox
United States Magistrate Judge